

Alabama Board of Examiners of Assisted Living Administrators
Regular Board Meeting

Date: Thursday, April 14, 2011
Time: 10:00 a.m.

Place: 5921 Carmichael Road
Montgomery, AL

Members Present: Mr. Deloye Burrell
Ms. Vivian Readus
Ms. Dale Law
Mr. George Smith
Ms. Sherry Stone
Mr. Andy Clements
Ms. Rita VanDyke

Members Absent: Ms. Cindy Lewis
Dr. Regina Harrell

Others Present: Ms. Bettie Carmack, Attorney General Representative
Ms. Amy Findley, Executive Director

Call to Order: The called meeting of the Board was called to order at 10:45 a.m. by Chair, Vivian Readus.

Agenda: Rita VanDyke motioned to approve the agenda as presented, George Smith seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

Executive Director Job Description/Annual Review: The board was presented with an Executive Director Annual review form.

George Smith motioned to accept the annual review form submitted, Sherry Stone seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

Vivian Readus will appoint 3 people within the next couple of weeks to conduct the Executive Director's annual review. Amy Findley's contract states the annual review is to be done annually at the third scheduled board meeting.

Internship for Review: An internship for William King was presented to the Board for review. John White will be the preceptor.

Rita VanDyke motioned to accept the internship from William King, George Smith seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

Request from Licensee: A request from Eddie Cummings was presented to board asking that licensees not be required to submit a copy of the facility license with their renewals.

Discussion was held.

Andy Clements motioned to leave the renewal process as is, Deloye Burrell seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

Applications for Review: Amy Findley presented the board with 2 applications for review.

1) LN – Had a felony on the background authorization form, but he/she checked no on the felony questions.

Rita VanDyke motioned to enter into Executive Session for approximately 15 minutes at 11:01am, Deloye Burrell seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

LN entered the meeting at 11:00am.

Discussion was held.

Andy Clements motioned to exit Executive Session at 11:21am, Deloye Burrell seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

Andy Clements motioned to deny the application of LN at this time due to not filling out the application truthfully, Deloye Burrell seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

Amy Findley asked the board if she decides to reapply and answers the questions truthfully, will she need to attend the next scheduled board meeting before he/she takes the Section A exam.

Discussion was held.

Rita VanDyke motioned that if LN reapplies and the application is truthful and complete, he/she will not have to appear before the board at the next meeting, Deloye Burrell seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

2) SP – checked yes to the misdemeanor question on application, the misdemeanor happened within the last 10 years so the board must review.

Vivian Readus motioned to enter into Executive Session for approximately 15 minutes at 11:28am, Rita VanDyke seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

SP entered the meeting at 11:27am.

Discussion was held.

Rita VanDyke motioned to exit Executive Session at 11:45am, Vivian Readus seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

Rita VanDyke motioned to approve the application of SP, Andy Clements seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

BOE Budget: Amy Findley presented the Board with budget documents from the Finance Department.

Minutes from January 20, 2011: Rita VanDyke motioned to approve the January 20, 2011 board meeting minutes as distributed, George Smith seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

New Business: AF Maternity Leave: Amy Findley reported she will take 2 weeks vacation when the baby is born, and will begin working the third week. The baby is due to be here sometime the week of June 27.

Deloye Burrell motioned to approve Amy Findley's maternity leave plan, George Smith seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

Amy Findley asked the Board if the Administrative Assistant for the ALAA could take up and be responsible for the Section A exam on July 6 since that will be in the 2 week vacation time frame.

Vivian Readus motioned to approve Carol Bush to accept money for the BOEALA at the July 6 Section A exam while Amy is out, George Smith seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

AG Fees: The Attorney General sent a contract requesting they be reimbursed for legal counsel representation.

Discussion as held.

Rita VanDyke motioned to ask the AG to continue to waive the legal counsel fees, Vivian Readus seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

3) AG Complaint- Amy Findley reported the Investigative Committee found probable cause to continue with the investigation so therefore can not talk about the complaint at this time.

Dale Law reported that the person who filed the complaint first called Frank Holden with ALAA to seek guidance. After a couple of days of not being able to reach him, he then called Amy Findley who gave him his options. After talking with Amy Findley, he finally talked with Frank Holden. The person who filed the complaint has been very upset with the fact that Frank Holden called the Administrator that the complaint was against and told her that a complaint was about to be filed, he thought that information should have been kept confidential.

Dale Law asked the board if this issue needs to be addressed.

Discussion was held.

The Board decided to write a letter to Frank Holden asking him to refrain from talking about complaints with anyone. The letter will be from Vivian Readus, chair and will be signed by all board members.

4) Ombudsman – Discussion was held regarding the job of the local ombudsman. They are to investigate complaints and be a mediator between the facilities and families.

They could be a good resource for us when a complaint needs to be investigated.

Old Business: Statute Changes: Amy Findley reported she has met with Rep. Alan Boothe and took him the statute changes. They are in the process of being typed by the Legislative Reference service. Amy will get a phone call from Rep. Booth when they are ready to be reviewed.

Audit: Audit responses were submitted to the board. These responses will be included in the Sunset Hearing booklet. The Sunset date has not yet been determined; Amy Findley was told it could be the end of June or first part of July.

Amy Findley also reported that she sent an email to Calvin Cooper and his boss John Segrest requesting that when information is requested to please let her know in the beginning what format it needs to be in. She has submitted several documents to Calvin and he then requests the same information in another format which causes her to do the work a second time. The board agreed, if a report or information needs to be submitted in a certain format then the examiners should state the format needed in the original request and no additional format requests will be honored.

Sherry Stone motioned to adjourn the board meeting at 12:24pm, Andy Clements seconded the motion. There was no discussion and the motion was unanimously approved by, Vivian Readus, Deloye Burrell, Dale Law, George Smith, Sherry Stone, Andy Clements and Rita VanDyke.

Approved by: _____
Vivian Readus, Chair

Prepared by: _____
Amy Findley, Executive Director